

16th JUDICIAL DISTRICT COURT FOR THE PARISH OF IBERIA

STATE OF LOUISIANA

NUMBER: 134235

DIVISION: 13

JOEL LEWIS

VERSUS

UNDERWRITERS AT LLOYD’S, LONDON d/b/a CERTAIN UNDERWRITERS AT LLOYD’S, LONDON,
USA TRANSPORTATION SERVICES LLC, USA JIREH TRANS LLC, AND JAMARIA J. GRAHAM

FILED: _____
DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel comes Plaintiff, JOEL LEWIS (hereinafter Plaintiff), a person of the full age of majority and resident in the State of Louisiana, who respectfully represents that:

I.

The following persons are made defendants herein:

- a.) UNDERWRITERS AT LLOYD’S, LONDON d/b/a CERTAIN UNDERWRITERS AT LLOYD’S, LONDON, a foreign insurance company organized under the laws of another state, which at all material times had in full force and effect a policy of automobile liability insurance, policy number 2623TDUBMDJ18L4224, underwritten by certain Underwriters at Lloyds identified as AFB, covering the 2003 Freightliner Tractor which was owned by defendant USA JIREH TRANS LLC and operated by defendant, JAMARIA J. GRAHAM at the time of the accident sued upon. This Defendant may be served with process through the Louisiana Long Arm Statute on its registered agent: Mendes & Mount LLP, 750 Seventh Ave. New York, New York 10019.
- b.) USA TRANSPORTATION SERVICES LLC, a limited liability corporation, authorized to do and doing business in the State of Texas located at 15447 Avenue C, Channelview, TX 77530, who, through information and belief, was the owner of the 2003 Freightliner Tractor at the time of the accident sued upon. This

defendant may be served with process through the Louisiana Long Arm Statute on their registered agent, Javier Moyano, 15447 Avenue C, Channelview, TX 77530.

- c.) USA JIREH TRANS LLC, a limited liability corporation, authorization to do and doing business in the State of Texas located at 12331 Natchez Park Lane, Humble, Texas 77346, who, through information and belief, was the owner or carrier of the 2003 Freightliner Tractor at the time of the accident sued upon. This defendant may be served with process through the Louisiana Long Arm Statute on their registered agent, Ligia Moyano, 12331 Natchez Park Lane, Humble, Texas 77346.
- d.) JAMARIA J. GRAHAM, a person of the full age of majority and resident of Texas, residing at 2219 Riverford Drive, Kingwood, Texas 77339, who was the operator of the 2003 Freightliner Tractor at the time of the accident sued upon. This defendant may be served with process through the Louisiana Long Arm Statute, 2219 Riverford Drive, Kingwood, Texas 77339

II.

That on or about the 14th day of June 2018, Plaintiff was traveling westbound in the left lane of US 90 in Iberia Parish, Louisiana.

III.

At the same time, the 2003 Freightliner Tractor operated by JAMARIA J. GRAHAM was traveling westbound in the left lane of US 90 behind Plaintiff in Iberia Parish, Louisiana. JAMARIA J. GRAHAM was operating the 2003 Freightliner Tractor with the permission of USA JIREH TRANS LLC. and/or USA TRANSPORTATION SERVICES LLC.

IV.

As Plaintiff gradually slowed for traffic, suddenly, and without warning, his vehicle was struck from behind by the 2003 Freightliner Tractor owned by USA JIREH TRANS LLC and/or USA TRANSPORTATION SERVICES LLC and operated by JAMARIA J. GRAHAM when he failed to control the speed of his vehicle.

V.

At the time of the accident, JAMARIA J. GRAHAM was on a mission for USA JIREH TRANS LLC and/or USA TRANSPORTATION SERVICES LLC and was employed by and in the scope and course of employment for USA JIREH TRANS LLC and/or USA TRANSPORTATION SERVICES LLC, therefore, USA JIREH TRANS LLC and/or USA TRANSPORTATION SERVICES LLC is liable for all of the actions and negligence of JAMARIA J. GRAHAM.

VI.

USA JIREH TRANS LLC and/or USA TRANSPORTATION SERVICES LLC had knowledge that JAMARIA J. GRAHAM was not a responsible operator of the vehicle and was prone to careless operation of this vehicle and, therefore, it was negligent for them to permit the vehicle to be used by JAMARIA J. GRAHAM.

VII.

As a result of JAMARIA J. GRAHAM striking the rear of Plaintiff's vehicle, Plaintiff sustained property damage, personal injury, medical expenses and seeking damages for all the foregoing, as well as past, present, and future mental and physical pain and suffering, and loss of enjoyment of life as a result of the damages and injuries sustained, and prays for all amounts recoverable under Louisiana Law.

VIII.

The acts of fault, gross and wanton negligence and lack of skill by JAMARIA J. GRAHAM which were the cause of the collision and the resulting damages to Plaintiff, were as follows:

- a. In failing to control the speed of the vehicle he was operating;
- b. In failing to keep a proper lookout;
- c. In failing to timely apply the brakes;
- d. In failing to take proper evasive action;
- e. In failing to drive the vehicle at a rate of speed that an ordinary and prudent person would have driven under the same or similar circumstances;
- f. In operating a vehicle in a reckless manner;
- g. In operating a motor vehicle while distracted;
- h. In failing to maintain a safe distance between the vehicle he was operating and Plaintiff's vehicle; and
- i. In violating applicable provisions of the Louisiana Revised Statutes.
- j. Such other acts and omissions as will be shown at the time of the trial of this matter

IX.

UNDERWRITERS AT LLOYD'S, LONDON d/b/a CERTAIN UNDERWRITERS AT LLOYD'S, LONDON is liable to Plaintiff under the policy of liability insurance in effect covering the 2003 Freightliner Tractor owned by USA JIREH TRANS LLC and/or USA TRANSPORTATION SERVICES LLC and operated by JAMARIA J. GRAHAM at the time of the accident sued upon.

X.

Plaintiff's damages at this time do exceed \$50,000.00, and therefore, they are entitled to a trial by Jury but reserve their right to request a trial by Jury until after defendants file responsive pleadings and therefore pray for a trial by Judge at this time.

WHEREFORE, Plaintiff prays that after due proceedings be had that there be a trial by Judge and that after due proceedings there be Judgment herein in favor of, JOEL LEWIS and against UNDERWRITERS AT LLOYD'S, LONDON d/b/a CERTAIN UNDERWRITERS AT LLOYD'S, LONDON, JAMARIA J. GRAHAM, USA JIREH TRANS LLC, and USA TRANSPORTATION SERVICES LLC for all damages, plus costs and interest from date of Judicial demand.

RESPECTFULLY SUBMITTED,

STEWART J. GUSS, INJURY ACCIDENT LAWYERS

A handwritten signature in black ink, appearing to read 'BRIAN PAGE', is written over a horizontal line.

BRIAN PAGE/Bar No. 30941
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*****PLEASE SEE NEXT PAGE FOR SERVICE INSTRUCTIONS*****

PLEASE SERVE: **Petition for Damages, Request for Notice, First Set of Interrogatories, and Request for Production of Documents on:**

UNDERWRITERS AT LLOYD'S, LONDON d/b/a CERTAIN UNDERWRITERS AT LLOYD'S, LONDON,
Through the Louisiana Long Arm Statute
Through its agent for service
Mendes and Mount
750 Seventh Ave.
New York, New York 10019

USA TRANSPORTATION SERVICES LLC
Through the Louisiana Long Arm Statute
On their registered agent
Javier Moyano
15447 Avenue C
Channelview, TX 77530.

JAMARIA J. GRAHAM
Through the Louisiana Long Arm Statute
2219 Riverford Drive
Kingwood, Texas 77339

USA JIREH TRANS LLC
Through the Louisiana Long Arm Statute
On their registered agent
Ligia Moyano
12331 Natchez Park Lane
Humble, Texas 77346

FILED

May 29, 2019

DEPUTY CLERK OF COURT
IBERIA PARISH, LA.

16th JUDICIAL DISTRICT COURT FOR THE PARISH OF IBERIA

STATE OF LOUISIANA

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JOEL LEWIS

VERSUS

UNDERWRITERS AT LLOYD'S, LONDON d/b/a CERTAIN UNDERWRITERS AT LLOYD'S, LONDON,
USA TRANSPORTATION SERVICES LLC, USA JIREH TRANS LLC, AND JAMARIA J. GRAHAM

FILED: _____

DEPUTY CLERK

REQUEST FOR NOTICE

NOW INTO COURT, through undersigned counsel, come Plaintiff, JOEL LEWIS, who pursuant to L.S.A. - C.C.P. Article 1572, moves this Court for written notice ten (10) days in advance of the date fixed for the trial or hearing on any exception, motion, rule or trial on the merits in the captioned proceeding, and pursuant to L.S.A. - C.C.P. Articles 1913 and 1914, requests immediate notice of all interlocutory and final orders and judgments on any exceptions, motions, rules or the trial on the merits in the captioned proceeding.

RESPECTFULLY SUBMITTED,

STEWART J. GUSS, INJURY ACCIDENT LAWYERS



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IBERIA PARISH, LA.